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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

EDD KING, DIEDRE KING, and ELMO  
SHEEN, SHEILA LEE, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

v.

NATIONAL GENERAL INSURANCE  
COMPANY, NATIONAL GENERAL  
ASSURANCE COMPANY, INTEGON  
NATIONAL INSURANCE COMPANY,  
INTEGON PREFERRED INSURANCE  
COMPANY, MIC GENERAL INSURANCE  
CORPORATION, PERSONAL EXPRESS  
INSURANCE COMPANY, SEQUOIA  
INSURANCE COMPANY, and DOES 1  
through 200, inclusive,

Defendants.

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Case No.: 4:15-cv-00313-DMR  
Hon. Donna M. Ryu

**JOINT STIPULATION TO EXTEND THE  
DEADLINE TO FILE A JOINT  
DISCOVERY LETTER ON THE ISSUE OF  
POLICYHOLDER DATA AND TO  
AMEND THE SCHEDULING ORDER;  
~~PROPOSED~~ ORDER \*\*\*AS  
MODIFIED\*\*\***

Complaint Filed: January 22, 2015

1                   **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2                   Pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rules 6-1(b), 7-12, and 16-  
3 2, Plaintiffs EDD KING, DIEDRE KING, ELMO SHEEN, and SHEILA LEE (collectively  
4 hereinafter “Plaintiffs”), Defendants NATIONAL GENERAL INSURANCE COMPANY (“NGIC”),  
5 NATIONAL GENERAL ASSURANCE COMPANY (“NGAC”), INTEGON NATIONAL  
6 INSURANCE COMPANY (“INIC”), INTEGON PREFERRED INSURANCE COMPANY  
7 (“IPIC”), MIC GENERAL INSURANCE CORPORATION (“MIC”), and PERSONAL EXPRESS  
8 INSURANCE COMPANY (“PEIC”) (collectively hereinafter the “NG Defendants”), and SEQUOIA  
9 INSURANCE COMPANY (“Sequoia”) hereby do jointly stipulate and agree, by and through their  
10 counsel of record, as follows (Plaintiffs, the NG Defendants, and Sequoia are hereinafter collectively  
11 referred to as the “Parties”):

12                  1. WHEREAS, on February 9, 2023, the Court issued its Civil Law and Motion Minute  
13 Order (Dkt. #251) (“February 9 Order”), which issued rulings on the four joint discovery letter briefs  
14 filed on December 22, 2022 (Dkt. ##239-242), and Plaintiffs’ Motion for Order Continuing Case  
15 Management Dates and Allowing Additional Depositions (Dkt. #244);

16                  2. WHEREAS, regarding the Fourth Joint Discovery Letter (Dkt. #251), the February 9  
17 Order ordered, *inter alia*, as follows: (1) Plaintiffs and the NG Defendants were to “meaningfully  
18 meet and confer regarding policyholder data for 2011 forward”; (2) the NG Defendants were to  
19 “provide Plaintiffs with basic information about the data exists, as well as where and how it is kept”;  
20 (3) Plaintiffs were permitted to “take Rule 30(b)(6) deposition(s) of [the NG Defendants] regarding  
21 these issues before seeking production of the actual policyholder datasets” and (4) If any disputes  
22 remained “as to the burden on [the NG Defendants] to produce this data, [Plaintiffs and the NG  
23 Defendants could] file a joint discovery letter on that issue by no later than 3/13/23.”

24                  3. WHEREAS, pursuant to the February 9 Order, Plaintiffs and the NG Defendants met  
25 and conferred on February 15, 2023 regarding Plaintiffs’ requests for information pertaining to the  
26 policy systems, policy data available, agent information, and agent information available;

1       4. WHEREAS, pursuant to the February 9 Order, the NG Defendants provided Plaintiffs  
2 with basic information about the data exists, as well as where and how it is kept, in an email dated  
3 February 22, 2023;

4       5. WHEREAS, pursuant to the February 9 Order, on March 7, 2023, Plaintiffs took a  
5 30(b)(6) deposition regarding the foregoing data issues;

6       6. WHEREAS, on March 10, 2023, Plaintiffs and the NG Defendants met and conferred  
7 again regarding the foregoing data issues but are now at an impasse;

8       7. WHEREAS, to allow Plaintiffs and the NG Defendants sufficient time to brief the  
9 issues related to the alleged burden on the NG Defendants to produce the foregoing data, Plaintiffs  
10 and the NG Defendants have agreed to extend the deadline to file a joint discovery letter brief on the  
11 issue of policyholder data from March 13, 2023 to March 17, 2023;

12       8. WHEREAS, this is the first request by the Parties to extend the briefing deadline on  
13 the foregoing data issues;

14       9. WHEREAS, regarding the Third Joint Discovery Letter (Dkt. #251), the February 9  
15 Order ordered Plaintiffs and the NG Defendants to “meaningfully meet and confer with respect to  
16 the depositions of Doug Hanes, Brenda Castellanos, and Byron Storms” (the “Apex Depositions”);

17       10. WHEREAS, Plaintiffs and the NG Defendants have met and conferred regarding the  
18 Apex Depositions and, as a result, have reached mutual agreement on the time limits and parameters  
19 of their depositions such that their depositions will proceed;

20       11. WHEREAS, in order to accommodate the schedules of the witnesses involved, the  
21 Apex Depositions cannot be completed by the current fact discovery cut-off date of April 3, 2023;

22       12. WHEREAS, the Parties agree the discovery deadline and all subsequent deadlines in  
23 the scheduling order should be extended by 30 days in order to complete the fact depositions already  
24 noticed or requested (including the Apex Depositions) and the Rule 30(b)(6) depositions of the NG  
25 Defendants.

26       NOW, THEREFORE, IT IS HEREBY STIPULATED, subject to Court approval, that the  
27 below deadlines be extended as follows:  
28

Event	Current Date	Proposed Date
Deadline to file joint discovery letter on the issue of policyholder data	3/13/2023	<b>3/17/2023</b>
Close of fact discovery	4/3/2023	<b>5/3/2023</b>
File class certification motion	5/8/2023	<b>6/8/2023</b>
Opposition to class certification motion	6/29/2023	<b>7/29/2023</b>
Reply re class certification	8/14/2023	<b>9/14/2023</b>
Plaintiffs' expert witness disclosure	8/17/2023	<b>9/17/2023</b>
Defendants' expert witness disclosure	9/14/2023	<b>10/14/2023</b>
Rebuttal expert disclosures due	10/12/2023	<b>11/12/2023</b>
Expert discovery cut-off	12/14/2023	<b>1/14/2024</b>
Last day for hearing dispositive motions	2/8/2024	<b>3/8/2024</b>

13  
14 Dated: March 12, 202315  
16 Respectfully Submitted,

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14 Dated: March 12, 2023

15 Respectfully Submitted,  
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33 NATIONAL INSURANCE COMPANY,  
34 INTEGON PREFERRED INSURANCE  
35 COMPANY, MIC GENERAL INSURANCE  
36 CORPORATION, and PERSONAL EXPRESS  
37 INSURANCE COMPANY  
38

1 Dated: March 12, 2023

Respectfully Submitted,

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## ATTESTATION

I, Marc R. Jacobs, am the ECF user whose identification and password are being used to file this Joint Stipulation and [Proposed] Order. In compliance with the ECF manual and the Civil Local Rules, I hereby attest that each of the other signatories concur in the filing of this Joint Stipulation and [Proposed] Order.

Dated: March 12, 2023

By: /s/ Marc R. Jacobs  
Marc R. Jacobs

~~[PROPOSED]~~ ORDER \*\*\*AS MODIFIED\*\*\*

THE COURT, HAVING READ THE FOREGOING STIPULATION AND CONSIDERED THE SAME, AND GOOD CAUSE APPEARING THEREFORE, IT IS HEARBY ORDERED AS FOLLOWS:

The current case deadlines are extended as follows:

Event	Current Date	Proposed Date
Deadline to file joint discovery letter on the issue of policyholder data	3/13/2023	<b>3/17/2023</b>
Close of fact discovery	4/3/2023	<b>5/3/2023</b>
File class certification motion	5/8/2023	<b>6/8/2023</b>
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Expert discovery cut-off	12/14/2023	<b>1/14/2024</b>
Last day for hearing dispositive motions	2/8/2024	<b>3/8/2024</b> <b>3/14/2024</b>

IT IS SO ORDERED.

DATE: March 14, 2023

  
UNITED STATES DISTRICT COURT  
CHIEF MAGISTRATE JUDGE DONNA M. RYU